Response

B-9 Community Colleges of Spokane District Administrative Office

1. As detailed design and right of way plans are developed a comprehensive relocation plan will be prepared with SCC. This plan will include facility relocation sites, costs and timing. All SCC owned land required for the NSF is subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, amended in 1987.

2. The loss of parking will be minimal and access to Greene Street entrances will be able to remain as the freeway is elevated over the entire SCC property.

3. Federal Highway Administration Noise Mitigation Criteria require that noise levels at Schools not Exceed 67 dBA. At the highest noise level projected from the NSF along SCC the 67dBA noise level is located at a distance of 90 meters (300 feet) from the centerline of the freeway. The 67dBA noise level would occur in the parking lot along Greene Street. Because of the shielding provided by the buildings, no outside or interior impacts are predicted for the Spokane Community College campus.

4. The preferred alternative of Market/Greene with the North Option is not projected to exceed the national Ambient of Air Quality Standards (NAAQS). The addition of the NSF will impact buildings on the west side of SCC. These impacts will be mitigated as stated. The Havana Alternative is not the Preferred Alternative. See the Preferred Alternative section in Chapter 2.
As traffic projections for this study indicate automobile usage will continue to grow through the year 2020. Access and parking will remain a major need for the campus. While this project will alter building locations and parking, a net loss of space should be avoided. With the NSF access to SCC from the city and county is greatly improved, providing a long term benefit to college.

Comment B-9

District Administrative Office

2000 North Greene Street MS 1001 • Spokane, Washington 99207-5499
(509) 533-7601 • SCAN 271-7601 • FAX (509) 533-8052

COMMUNITY COLLEGES OF SPOKANE

Terrance R. Brown
Chief Executive Officer

RECEIVED
DEPARTMENT OF TRANSPORTATION
OCT 26 1995
SPOKANE, WA 99207

October 25, 1995

Mr. Harold L. White, P. E.
Washington State
Department of Transportation
2714 North Mayfair Street
Spokane, WA 99207-2090

Re: North Spokane Freeway Draft Environmental Impact Statement

Dear Mr. White:

Thank you for providing a copy of the Draft Environmental Impact Statement for review. It is a comprehensive and well-prepared document.

Community Colleges of Spokane recognizes that this is a difficult process and that we, as a region, must be committed to improving transportation in the city of Spokane. We also feel that the correct solution is a build solution. However, our Board of Trustees remains deeply concerned about the impact of the Market/Greene alternative on the students of Spokane Community College.

If the freeway, including the Trent Avenue interchange, is constructed along the west side of the campus, we will lose our Fire Science Building, Fire Science Training Tower (also used by several fire districts in the region), Clock Tower, Environmental Sciences Annex, and District Administration Building. 1

The Market/Greene alternative will mean the loss of student and staff parking, even if the area under the freeway remains as parking; the loss of a major future building site; the loss of the campus entry on Greene Street which identifies the college; and noise and air pollution for four major buildings that are located on the west side of campus. 2 3 4

A freeway on the campus grounds will most likely have significant negative consequences to the overall teaching and learning environment of Spokane Community College. Therefore, we urge you to choose the Havana alternative as the preferred route.

Very sincerely,

Terrance R. Brown
Chief Executive Officer

kp

c: Roberta Greene, Chair, Community Colleges of Spokane Board of Trustees
Don Kolb, District Vice President, Community Colleges of Spokane
Greg Plummer, Facilities Service Officer, Community Colleges of Spokane
James Williams, President, Spokane Community College

RECEIVED
OCT 26 1995
HAROLD WHITE, P.E.

Response

B-10 Groff & Murphy Lawyers

Comment B-10

GROFF & MURPHY
LAWYERS
1191 SECOND AVENUE
SUITE 1900
SEATTLE WASHINGTON 98101
(206) 628 9500
FAX (206) 628 9506

October 27, 1995

Via Facsimile/Federal Express

Mr. Eugene W. Cleckley, HEP-30
Federal Highway Administration
400 - 7th Street, S.W.
Washington, D.C. 20590

Mr. Gene Fong, Division Administrator
Federal Highway Administration
711 South Capitol Way, Suite 501
Olympia, WA 98501

Mr. Jerry Lenzi, Regional Administrator
Department of Transportation, Eastern Region
2714 N. Mayfair Street
Spokane, WA 99207-2090

Re: Draft Environmental Impact Statement for the North Spokane Freeway

Dear Gentlemen:

We represent Harlan and Maxine Douglass, who own property in the vicinity of the proposed alternatives for the route of the North Spokane Freeway. At our clients' request, we have reviewed the Draft Environmental Impact Statement (DEIS) for the North Spokane Freeway, published in September of this year, and which is open for public comments until October 27, 1995. Based on our review of the DEIS, we have serious concerns about the viability of the project and the adequacy of the DEIS. As more fully set forth in this letter, we have found a variety of significant omissions in the DEIS, both in terms of the entire freeway project, as well as specific routing options.

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Response

1. Chapter 1 of the DEIS, Purpose and Need for this Action, includes a multi-discipline needs statement that is the basis for this study. In this chapter, roadway capacity and demand are compared for 1990 and the projected design year of 2020. A 53% growth in traffic demand between the year 1990 and 2020 was projected (table 1-2, p. 1-5). This growth causes most existing roadway intersections in the study area to exceed their capacity. This study addresses methods to deal with the lack of capacity, and associated impacts, on the existing system. Comparison of cost is done only for Alternative that are found to adequately satisfy the Purpose and Need.

2. There is a total of 16 lanes proposed on I-90 between the Hamilton Street and Sprague Avenue Interchanges. In this 16 lane section, six lanes are existing. The proposed collector/distributor is 3-4 lanes (HOV included) in each direction. Cost range (1994) from $812 million to $875 million including right of way.

3. The EIS uses Level of Service (LOS) for evaluating roadway capacity. LOS is based on peak hour trips as projected by SRTC. Peak hour traffic flow projections are included in the Traffic Discipline Report.

Comment B-10 (Continued)

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Page 2

I. DEFICIENCIES RELATED TO THE CONSTRUCTION OF THE ENTIRE NORTH SPOKANE FREEWAY.

A. The DEIS Inadequately Addresses the Feasibility of Constructing the North Spokane Freeway.

The premise for any public improvement project is that current and reasonably projected growth warrants the costs and resources necessary to implement that project. The DEIS for the North Spokane Freeway fails to adequately analyze the necessity for the extraordinarily expensive North Spokane Freeway. Instead, the DEIS merely references the current and projected levels of service (LOS) and roadway capacities for a selected number of intersections.[1] Nowhere does the DEIS explain the methodology for selecting these intersections, nor demonstrate their relationship to traffic generators within the project area. The DEIS does make comparisons of levels of service and traffic capacities of the selected alternatives, but wholly fails to compare the associated cost of each alternative.[2] Thus, any subsequent decision maker will be unable to make a comparison of the feasibility of the alternatives either preferred or rejected by the DEIS. 1

The gravity of this omission is clearly evident when considering that the proposed North Spokane Freeway not only ranges in different locations from a 6 to a 16 lane facility, but also costs an estimated 970 million dollars to 1.05 billion dollars.[3] The DEIS does not identify the traffic flow projections or 2 3

[1] North Spokane Freeway Draft Environmental Impact Statement, Volume 1, U.S. Department of Transportation, Federal Highway Administration; Washington State Department of Transportation, p.1-11, September 1995. (Hereinafter "DEIS.")

[2] Id., Table 1-5, p. 1-10.

[3] Id., figure 2-5, p. 2-44, shows a 16 lane facility, approximately 298' wide immediately adjacent to I-90 at a sub-surface level. The North Spokane Freeway is estimated to cost anywhere from 812 million dollars to 875 million dollars alone for infrastructure and 158 million dollars to 175 million dollars for right of way acquisition. Id., table 2-16 to 2-17, pp. 2-57 to 2-63.

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Seattle

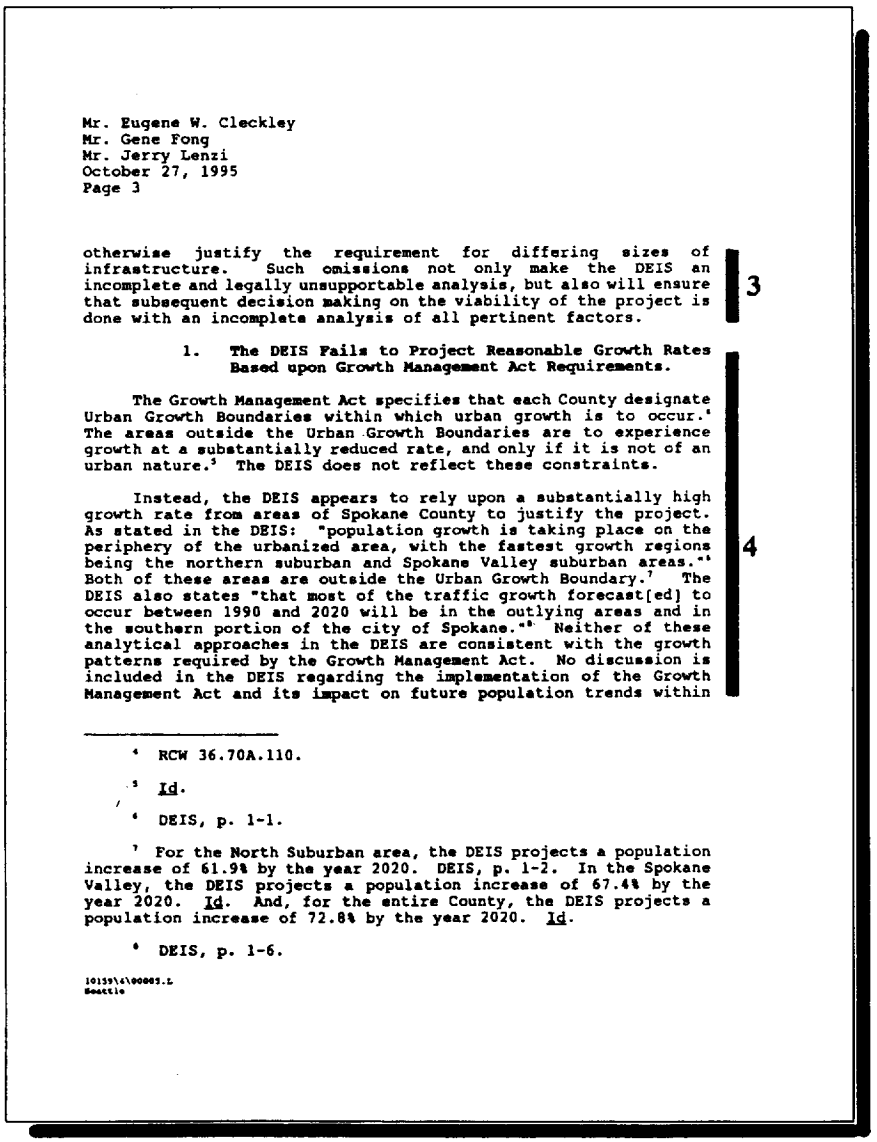
A copy of this report is available upon request from the WSDOT Eastern Region Office.

Response

Comment B-10 (Continued)

4. The projections listed in Table 1-1 on p 1-2 of the DEIS are from the Washington State Office of Financial Management. These estimates are subject to change due to local land use or development controls. The traffic forecast provided is by the Spokane Regional Transportation Council and is adjusted for the Urban Growth Boundary. As currently being developed the Growth Management Act as implemented in Spokane County will not bring significant changes to the current land use plans. The Urban Growth Boundary is expected to be smaller, so that the necessary infrastructure can be provided. The traffic projections accounted for these restrictions.

Spokane County has stated that "There is sufficient land area designated in Spokane County's Comprehensive Plan and Zoning Code to accommodate future growth beyond the 2020 design year."



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Page 3

otherwise justify the requirement for differing sizes of infrastructure. Such omissions not only make the DEIS an incomplete and legally unsupportable analysis, but also will ensure that subsequent decision making on the viability of the project is done with an incomplete analysis of all pertinent factors. 3

1. **The DEIS Fails to Project Reasonable Growth Rates Based upon Growth Management Act Requirements.**

The Growth Management Act specifies that each County designate Urban Growth Boundaries within which urban growth is to occur.[4] The areas outside the Urban Growth Boundaries are to experience growth at a substantially reduced rate, and only if it is not of an urban nature.[5] The DEIS does not reflect these constraints.

Instead, the DEIS appears to rely upon a substantially high growth rate from areas of Spokane County to justify the project. As stated in the DEIS: "population growth is taking place on the periphery of the urbanized area, with the fastest growth regions being the northern suburban and Spokane Valley suburban areas."[6] Both of these areas are outside the Urban Growth Boundary.[7] The DEIS also states "that most of the traffic growth forecast[ed] to occur between 1990 and 2020 will be in the outlying areas and in the southern portion of the city of Spokane."[8] Neither of these analytical approaches in the DEIS are consistent with the growth patterns required by the Growth Management Act. No discussion is included in the DEIS regarding the implementation of the Growth Management Act and its impact on future population trends within 4

[4] RCW 36.70A.110.

[5] Id.

[6] DEIS, p. 1-1.

[7] For the North Suburban area, the DEIS projects a population increase of 61.9% by the year 2020. DEIS, p. 1-2. In the Spokane Valley, the DEIS projects a population increase of 67.4% by the year 2020. Id. And, for the entire County, the DEIS projects a population increase of 72.8% by the year 2020. Id.

[8] DEIS, p. 1-6.

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Response

5. The Spokane County 1990 Comprehensive Plan, is the most current addopted plan avaiable. It has two legally required elements:

1. Land Use Element
2. Circulation Element

The Land Use Element proposes the general distribution, location, and extent of various land uses, standards for population and development intensity, and estimates of future population. (Chapter 36.70.330 RCW item 1) Spokane County has stated that because the Growth Management Act has not been completly implemented to date the correct document for projecting population growth is the Spokane County 1990 Comprehensive Plan.

Comment B-10 (Continued)

areas in or out of an Urban Growth Boundary. As such, the DEIS does not accurately project the need or desirability of a massive and costly infrastructure project such as the North Spokane Freeway. As the DEIS itself says, "[p]rojected trip distribution patterns follow growth patterns."[9] Where the projected growth patterns are inaccurate, any resulting analysis will produce erroneous projected trip distribution patterns. 4

2. Reliance on The City of Spokane's Comprehensive Plan and Spokane County's Comprehensive Plan is Erroneous.

The DEIS references the Comprehensive Plans of both the City and County of Spokane as supporting the implementation of the North Spokane Freeway.[10] However, the DEIS fails to address the fact that both plans were adopted prior to the implementation of the Growth Management Act (originally adopted in 1990). Neither Comprehensive Plan accurately reflects future growth trends as dictated by the Growth Management Act, because neither has completed an update to be consistent with the Growth Management Act. 5

The City of Spokane's latest revision of its Comprehensive Plan Land Use Element, for example, was adopted on July 19, 1983.[11] In addition to failing to meet the Growth Management Act requirements, the City's Land Use Element specifies that every five to ten years, the City should reassess the overall goal and policy direction of the Plan.[12] But, the DEIS relies on the 1983 Plan to forecast conditions in 2020. Accurate forecasts for 40 years into the future based on a Plan that expressly limits its scope to no more than ten years is clearly inaccurate and unreasonable.

[9] Id., p. 1-5.

[10] Id., p. 1-4, 1-5.

[11] City of Spokane, Land Use Plan, Report No. 11, City Plan Series 11, City Plan Commission, July 19, 1983.

[12] Id., p. 1-9.

Response

Comment B-10 (Continued)

6. The LOS tables were modeled on a region wide basis from SRTC data and were used in the analysis for the corridor. Identifying specific areas where traffic demands exceed capacity on a region wide basis is outside the scope of this EIS. The Purpose statement on page 1-1 defines the goals of the EIS. The effects on traffic capacity and demand for each alternative is discussed in Chapter 2.

B. The Alignment of the North Spokane Freeway Does Not Address the Current and Projected Traffic Problems in the Region.

Nowhere does the DEIS address the distribution of traffic and related infrastructure demands on a region-wide basis. The DEIS merely makes generalizations regarding projected regional land use patterns, and the traffic flows anticipated from those patterns.[13] Nowhere does the DEIS pinpoint the specific areas where traffic demands exceed capacity on an area-wide basis. Such a narrow sampling of intersections is inadequate to identify potential problems, as well as reasonable and feasible solutions. Well reasoned decision making cannot follow from this incomplete analysis.

1. The North/South Freeway Does Not Adequately Address Traffic Problems in an East/West Direction.

The DEIS recognized that "[t]he largest increase in volume over the 30-year period is projected to be towards the east and the Spokane Valley. The highest through volumes will be between western Spokane and eastern Spokane."[14] But, instead of proposing solutions to the east/west traffic flow problems, the DEIS only addresses north/south traffic flows: "[w]ith the current lack of east-west connections on Spokane's north side, ... this movement is being primarily accommodated by north-south access to and from I-90."[15] Nowhere does the DEIS address the necessity or efficiency of using a north/south freeway to accommodate east/west traffic demands. Without a more thorough and supportable explanation of the north/south freeway's relationship to the traffic demands, the conclusions and recommendations of the DEIS are arbitrary and unsupportable.

6

[13] DEIS, p. 1-6.

[14] Id., p. 1-6.

[15] Id.

Response

Comment B-10 (Continued)

7. The non-structural alternatives cited in the EIS were not found to sufficiently reduce vehicles trips to eliminate or reduce the need for capacity improvements in the study area. These alternatives were rejected based on their failure to adequately address the criteria set forth in Chapter 1, Purpose and Need for this Action. Because of their failure to meet the needs no estimate was compiled.

Normal growth in the use of transit or other existing transportation modes is part of the traffic analyses. The No-Action or No-Build Alternative is limited in scope per FHWA Technical Advisory T 6640.8A. The Advisory defines the no-action alternative as "normally includes short-term minor restoration types of activities...that maintain continuing operation of the existing roadway."

C. The DEIS Prematurely Rejects Viable and More Cost Efficient Alternatives than the North Spokane Freeway.

The DEIS inadequately addresses several alternatives before rejecting their further consideration or comparison to the construction of the North Spokane Freeway. First, the DEIS rejects the implementation of Alternative 2 - the Transportation System Management. This alternative has the aim of reducing congestion as much as practicable in the overall transportation system.[16] The Transportation System Management implementation includes such items as car-pooling, ride-sharing, alternative modes of transportation, varied commute trips, etc. The DEIS admits that "(s)tatistically, this alterative meets the project area capacity/demand requirements nearly as well as a build alternative."[17] The DEIS further recognizes that the "key to the program's success is the type of strategies used."[18] But the DEIS ultimately rejects this alternative, stating that "the effectiveness of this alternative depends primarily on the traveling public's acceptance of other transportation modes."[19] Nowhere does the DEIS address the likelihood of the public to accept these modes of transportation, nor any method to increase such acceptance. Thus, the rejection of this alternative is without substantial justification or sufficient explanation of alternatives as to its viability. 7

Although the certainty of this solution may not be guaranteed, or as easy to forecast as the construction of additional infrastructure, it should not be prematurely disregarded solely due to difficulty in projecting the level of public acceptance. A significant benefit in this option, never addressed by the DEIS, is its feasibility. The costs of implementing Transportation System Management are negligible compared with the at least 970 million dollar cost associated with implementation of the North Spokane Freeway. Moreover, the Transportation System Management improvements can begin immediately and results measured will be

[16] Id., p. 2-29.

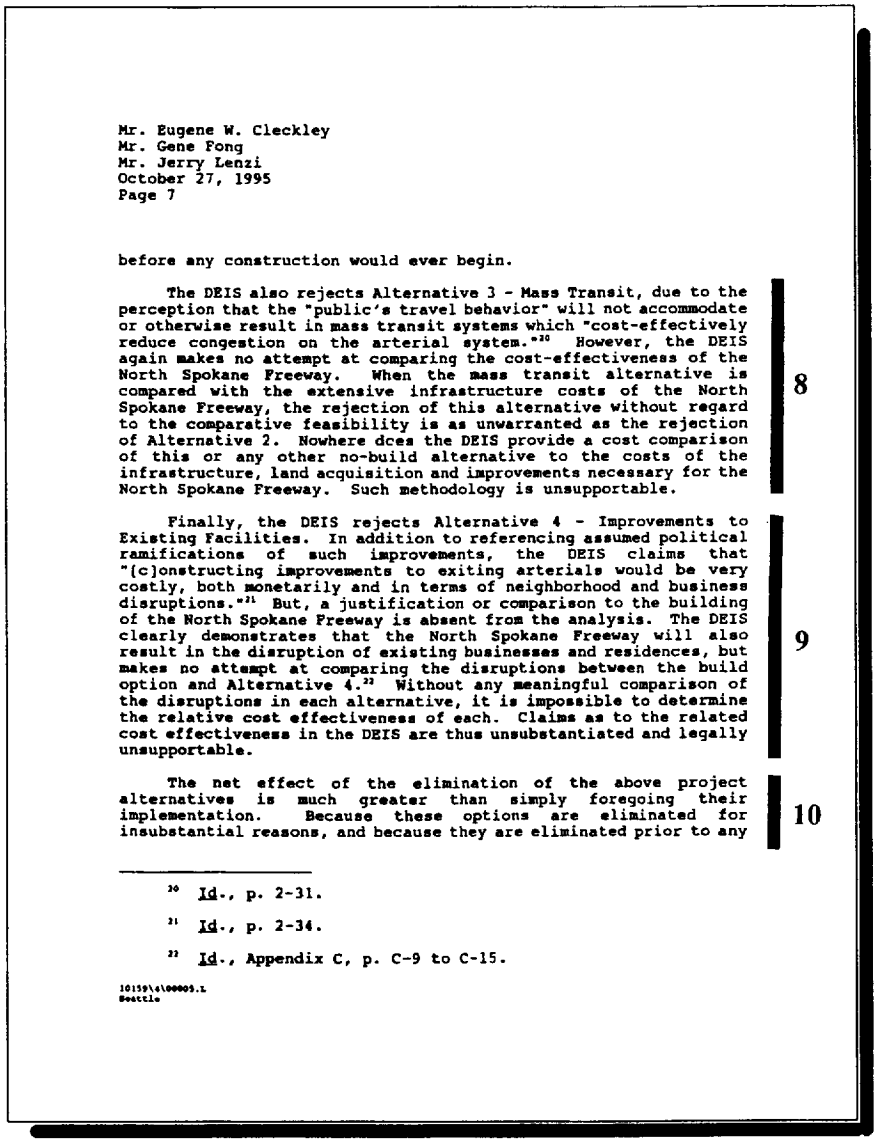
[17] Id., p. 2-29. (emphasis added).

[18] Id.

[19] Id.

Response

Comment B-10 (Continued)



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Page 7

before any construction would ever begin.

The DEIS also rejects Alternative 3 - Mass Transit, due to the perception that the "public's travel behavior" will not accommodate or otherwise result in mass transit systems which "cost-effectively reduce congestion on the arterial system."[20] However, the DEIS again makes no attempt at comparing the cost-effectiveness of the North Spokane Freeway. When the mass transit alternative is compared with the extensive infrastructure costs of the North Spokane Freeway, the rejection of this alternative without regard to the comparative feasibility is as unwarranted as the rejection of Alternative 2. Nowhere does the DEIS provide a cost comparison of this or any other no-build alternative to the costs of the infrastructure, land acquisition and improvements necessary for the North Spokane Freeway. Such methodology is unsupportable. 8

Finally, the DEIS rejects Alternative 4 - Improvements to Existing Facilities. In addition to referencing assumed political ramifications of such improvements, the DEIS claims that "[c]onstructing improvements to exiting arterials would be very costly, both monetarily and in terms of neighborhood and business disruptions."[21] But, a justification or comparison to the building of the North Spokane Freeway is absent from the analysis. The DEIS clearly demonstrates that the North Spokane Freeway will also result in the disruption of existing businesses and residences, but makes no attempt at comparing the disruptions between the build option and Alternative 4.[22] Without any meaningful comparison of the disruptions in each alternative, it is impossible to determine the relative cost effectiveness of each. Claims as to the related cost effectiveness in the DEIS are thus unsubstantiated and legally unsupportable. 9

The net effect of the elimination of the above project alternatives is much greater than simply foregoing their implementation. Because these options are eliminated for insubstantial reasons, and because they are eliminated prior to any 10

[20] Id., p. 2-31.

[21] Id., p. 2-34.

[22] Id., Appendix C, p. C-9 to C-15.

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8. All Alternatives are evaluated as to the degree they satisfy the Purpose and Need for this Action described in Chapter 1 of the FEIS. As documented in Chapter 2, Alternatives Considered But Rejected, it was concluded that Mass Transit did not adequately satisfy the stated Purpose and Need. Comparison of cost is done only for Alternative that are found to adequately satisfy the Purpose and Need.

9. Improvement to Existing Facilities did not satisfy the Purpose and Need for this action as documented in Chapter 2.

10. Regardless of cost, Mass Transit and Improvement to Existing Facilities do not satisfy the Purpose and Need for this Action and for this reason they were removed from further consideration. However, it should be noted that elements of Mass Transit are incorporated into the preferred alternative.

Response

Comment B-10 (Continued)

11. The designated preferred alternative has received a detailed remediation cost estimate based on limited site assessments. Phase I assessments for the build alternatives, which would take years to complete, would be limited because of access restrictions to many of the sites. Refer to the Hazardous Waste Section of this FEIS. Also refer to Appendix G.

12. Existing streets in the vicinity of the School will remain open after construction of the facility. During construction temporary alternate routes may be required.

The visual impact would be altered but, it is not expected to affect the function of the play field. Noise in the play field or at the school is not projected to approach or exceed the Noise Abatement Criteria set by the Federal Highway Administration nor is a substantial increase in noise projected (10 dBA or greater).

in depth analysis, the overall benefits of the construction of the freeway are overstated. A comparison of the no-build alternative to the construction of the freeway alternative excludes numerous components which would be realistically implemented in a true no-build scenario. Expanded bus service will occur, for example as a natural consequence of increased demand on the City's existing mass transit system. Yet, the DEIS fails to consider any mitigation resulting from such services because it rejected Alternative 3. Thus, the no-build alternative appears to be much more undesirable than it would be if appropriate incremental improvements to the transportation system were considered. 10

D. The DEIS Fails to Perform an Adequate Investigation of Underground Storage Facilities and Contaminants.

Although the DEIS does identify the subsurface soil characteristics in the vicinity of the route alternatives, it does not adequately address the prevalence of subsurface contaminates.[7] Such contaminates are typically abundant in areas which contain rail road lines or underground storage tanks. Fuel spills and other toxic chemicals are quite likely to be encountered with the construction of the freeway, particularly since significant segments of the freeway are proposed at an elevation below existing ground level. Because the environmental and health affects of releasing such pollutants are insufficiently identified and addressed in the DEIS, the environmental impacts during construction and subsequent use of the freeway are not adequately addressed and cannot be sufficiently addressed by subsequent decision makers. 11

II. DEFICIENCIES RELATED TO THE NORTH ALTERNATIVE ROUTE OF THE NORTH SPOKANE FREEWAY.

A. The DEIS Fails to Adequately Address the Impacts to School Sites (Farwell Elementary & Northwood Jr. High School) Caused by the North Option.

Although the DEIS recognizes impacts to the Northwood Jr. High School and the Farwell Elementary School, it does not adequately 12

[7] Id., p. 4-38 to 4-39.

Response

Comment B-10 (Continued)

13. Truck traffic was considered in Traffic Analysis. All traffic on Hastings Road/Farwell Road will continue to have on and off access to US 2 and US 395. Through traffic will continue much as it does today. Access to the NSF is provided at the proposed interchange with US 2.

discuss the extent of the impacts of the North Option.[24] The North Option will come within 200 feet of the athletic fields of both schools, will disrupt the walking and bus routes to the schools, and will have substantial visual impacts on both schools.[25] Despite these facts, the DEIS fails to discuss the details of such impacts or consider alternatives to mitigate them. Noise from the freeway, for example, which is likely to have significant detrimental impacts on school activities, particularly on the athletic fields, was never mentioned in the DEIS. 12

B. The DEIS Inadequately Discusses the Impacts of the North Option Upon Industrial and Other Heavy Truck Traffic.

The Hastings Road/Farwell Road Route has one of the highest level of truck traffic within Spokane County, with approximately 80% of its volume accommodating large trucks. The North Option of the freeway significantly interrupts this traffic.[26] Yet, no discussion of accommodating or re-routing these trucks is made in the DEIS. Further, no discussion is made or mitigation considered in the DEIS for the North Spokane Freeway or any other alternative route to adequately accommodate the capacity to handles this truck traffic. 13

1. Access to the North Spokane Freeway is Precluded from Farwell Road by the North Option.

The alignment of the intersection of the North Option of the North Spokane Freeway with Highway 2 eliminates the area's existing truck access to Highway 2.[27] No provisions are made with this freeway intersection to allow access to either Highway 2 or the North Spokane Freeway from the surrounding area. In addition, the DEIS fails to address the impacts of eliminating all immediate access points to either freeway, and the resulting isolation and detrimental impacts to the commercial and industrial viability of

[24] Id., Appendix C, p, C-19.

[25] Id., Appendix C, pp. C-19 to C-23.

[26] See, Id., Figure N2, Appendix D, p. D-25.

[27] Id., figure N2, p, D-25.